

**REMARKS**

Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

**Status of the Claims**

Claims 1, 5-14 are pending. Claims 2-4 has been canceled without prejudice or disclaimer of the subject matter contained therein. Claims 1 and 13 have has been amended to incorporate the subject matter of canceled claims 2-4. No new matter is added.

Applicant appreciatively acknowledges the Examiner's allowance of claim 14, and the indication of allowable subject matter in claims 4 and 10.

**Rejection Under 35 U.S.C. §§ 102 and 103**

Claims 1, 8, 12 and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Application No. 2004/0145525 to Annabi et al. ("Annabi"). Claims 2-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Annabi in view of U.S. Patent No. 6,252,552 to Tarvas et al. ("Tarvas '552"). Claims 5-7, 9 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Annabi in view of Tarvas '552 and further in view of U.S. Patent No. 6,469,673 to Kaiponen. Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Annabi in view of Kaiponen.

Claims 2-3 have been canceled, thus rendering the rejection of claims 2-3 moot.

Independent claims 1 and 13 have been amended to incorporate the allowable subject matter of claim 4, as well as the subject matter of intervening claims 2 and 3. Claims 5-12 depend from claim 1. Applicant submits that claims 5-12 are allowable at least for the same reasons as their base claim.

Accordingly, Applicant submits that all claims have been either canceled or placed in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested.

In view of the foregoing it is believed that claims 1 and 5-14 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: December 4, 2008

Respectfully submitted,

By 

Richard J. Katz  
Registration No.: 47,698  
DARBY & DARBY P.C.  
P.O. Box 770  
Church Street Station  
New York, New York 10008-0770  
(212) 527-7700  
(212) 527-7701 (Fax)  
Attorney For Applicant(s)